



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MAR 28 2016

Mr. Jack Schweitzer
Senior Environmental Coordinator
National Railroad Passenger Corporation
40 Massachusetts NE
Washington, DC 20002

Re: Clean Water Act, Section 308 Information Requirement

Dear Mr. Jack Schweitzer,

The enclosed Information Requirement is issued this date pursuant to Section 308 of the Clean Water Act (CWA), 33 U.S.C. § 1318 and requires, among other things, that as the owner and/or operator of the National Railroad Passenger Corporation, Amtrak Ivy City (Permit No. DCR05A768), located at 1401 West Street, NE, Washington, DC, you provide information regarding the failure to submit a complete and accurate Notice of Intent (NOI) for authorization to discharge storm water associated with industrial activity under the 2015 Multi Sector General Permit ("MSGP").

The requirement to provide information to the U.S. Environmental Protection Agency is mandatory, and you must respond, within fifteen (15) days, in accordance with the instructions and milestones set forth in the Information Requirement.

If you have any questions about this Information Requirement, you may contact Kaitlin McLaughlin at (215) 814-2393.

Sincerely,

A handwritten signature in black ink, appearing to read "D. McGuigan", is positioned above the typed name of the sender.

David B. McGuigan, Ph.D.
Associate Director
Office of NPDES Permits and Enforcement
Water Protection Division

Cc: Joshua Rodriguez, DDOE



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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, PA 19103-2029**

In The Matter of:

National Railroad Passenger Corporation
40 Massachusetts NE
Washington, DC 20002

Respondent

Pursuant to Section 308(a) of the
Clean Water Act, 33 U.S.C. § 1318(a)

INFORMATION REQUIREMENT

I. STATUTORY AUTHORITY

1. This Information Requirement is issued under the authority vested in the United States Environmental Protection Agency ("EPA") by Section 308 of the Clean Water Act ("CWA"), 33 United States Code ("U.S.C.") § 1318. The Administrator of the EPA has delegated this authority to the Regional Administrator of EPA, Region III, who in turn has delegated it to the Director of the Water Protection Division of EPA, Region III, who in turn has delegated it to the Associate Director of the Office of NPDES Permits and Enforcement. EPA hereby requires the National Railroad Passenger Corporation to provide the information specified below.

II. STATUTORY AND REGULATORY BACKGROUND

2. EPA is authorized under Section 308 of the CWA, 33 U.S.C. § 1318 to require owners and operators of point sources to establish records and make such records, as may be necessary to carry out the purpose of the Act, including, but not limited to:
 - (a) developing or assisting in the development of any effluent limitation or other limitation or prohibition, effluent standard, pretreatment standard or standard of performance under the CWA;

- (b) determining whether any person is in violation of any such effluent limitation or other limitation, prohibition or effluent standard, pretreatment standard or standard of performance;
 - (c) any requirement under Section 308 of the CWA; and
 - (d) carrying out Sections 305, 311, 402, 404 and 504 of the CWA.
- 3. Failure to respond as directed to a CWA Section 308 requirement is punishable under the civil and criminal provisions of Section 309 of the CWA, which provide for the assessment of penalties, injunctive relief and imprisonment. Providing misleading or false information may subject you to civil and criminal sanctions. The information you provide may be used by EPA in administrative, civil or criminal proceedings.
 - 4. You may, if you desire, assert a business confidentiality claim covering all or part of the information required herein, in the manner described in 40 C.F.R. Part 3, Subsection B. Information covered by such a claim will be disclosed by EPA only to the extent and by means of the procedures set forth in Subpart B, 40 C.F.R. Part 2. If no claim of confidentiality accompanies the information required herein when it is received by EPA, it may be made available to the public by EPA without further notice. You may not withhold any information from EPA on the grounds that it is confidential business information. This inquiry is not subject to review by the Office of Management and Budget under the Paperwork Reduction Act, 44 U.S.C. Chapter 35 (See 5 C.F.R. Section 1320.2 (c)).

III. INSTRUCTIONS

- 5. Identify each person responding to any question contained in this Information Requirement on behalf of the Respondent, as well as each person consulted in the preparation of the response. Include each person's name, professional title, and contact information.
- 6. If tabulation is required, provide the required information in tabular form, in hard copy and also in tabular form, in an electronic spreadsheet file, Excel format.
- 7. To the extent information required herein was previously provided to EPA by National Railroad Passenger Corporation, there is no need to provide it again, but rather identify the information and the date it was previously provided.
- 8. If required information or documents are not known or are not available at the time of your response to this Information Requirement, but later becomes known or available, the Respondent must supplement its response to EPA. Moreover, should the Respondent find at any time after submission of its response that any portion is or becomes false, incomplete or misrepresents the facts, the Respondent must provide EPA with a corrected response, as soon as possible.

9. All submissions provided pursuant to this requirement shall be signed and dated by a responsible official of the Respondent and include the following certification:

"I certify that the information contained in or accompanying this submission is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations. I certify as having responsibility for the persons who, acting under my direct instruction, made the verification, that this information is true, accurate and complete."

Signed: _____

Title: _____

10. Within fifteen (15) days upon receipt of this document, submit your response to:

Kaitlin McLaughlin
NPDES Enforcement Branch (3WP42)
Water Protection Division
U.S. Environmental Protection Agency
1650 Arch Street
Philadelphia, PA 19103-2029

11. If you have questions regarding this Information Requirement, you may contact Kaitlin McLaughlin, at (215) 814-2393.

IV. DEFINITIONS

12. The terms "document" and "documents" shall mean any format that records, stores or presents information and includes writings, memoranda, records or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, storage device or hard copy, including any form or format of these types. If in computer format or memory, each such document shall be provided in a translated form that is useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include: (a) copy of each document which is not an exact duplicate of a document which is provided; (b) each copy which has any writing, notation, or the like on it; (c) drafts; (d) attachments to or enclosures with any document; and (e) every other document referred to or incorporated into each document.
13. The term "MSGP" refers to the National Pollutant Discharge Elimination System Multi-Sector General Permit which became effective on June 4, 2015.
14. The term "Respondent" refers to the National Railroad Passenger Corporation, Amtrak Ivy City, located at 1401 West Street, NE, Washington, DC 20018.

15. The term "identify" with respect to a natural person means to provide the name, professional title, contact information and the relationship to the Respondent.
16. The term "identify" with respect to a business entity means to provide that entity's name, address and relationship to the Respondent and to also provide the name, professional title, contact information of an individual who can provide information related to and on behalf of the entity.


V. INFORMATION REQUIREMENT

17. Within fifteen (15) days of the effective date of this Information Requirement, Respondent shall: 1) submit an NOI for authorization to discharge storm water associated with industrial activity under the 2015 MSGP and 2) take all actions necessary to comply with the 2015 MSGP, or
18. Within fifteen (15) days of the effective date of this Information Requirement, Respondent shall disclose any reason(s) why it need not seek authorization to discharge under the 2015 MSGP.

VI. EFFECTIVE DATE

19. This Information Requirement is effective upon receipt.

Date: 3/23/16



David B. McGuigan, Ph.D.
Associate Director
Office of Compliance and Enforcement
Water Protection Division